



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, February 18, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - Laid Over

- 1 [RLH TA 14-54](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405A, Assessment No. 148504 at 1846 MARSHALL AVENUE.

Sponsors: Stark

Approve the assessment.

RE: 1846 Marshall Avenue (Apartments)

Barry Star, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Oct 30, 2013; compliance Nov 5; re-checked Nov 5; Work Order sent*
- work done Nov 8, 2013 for a cost of \$288 + \$160 service charge = \$448*
- no returned mail*
- sent to Leo Lindquist, 1784 Phalen PI N, Maplewood; and Barry Star, 2419 Nebraska Ave E, Maplewood; and Occupant*
- remove brush pile from between garage and alley way*
- photos*

Mr. Star:

- doesn't know where the brush came from; he doesn't think it was his but that someone put it there*
- 2419 Nebraska is his address*
- he's at the property a lot but hasn't seen it*
- that's near the back alley which isn't visible; a neighbor shares that space between the 2 garages*

VIDEO

- doesn't appear to be brush, just a branch - like someone dragged a branch over there*
- he did check it and took some stuff away from back there; maybe someone dragged the branch over there after we were there*
- there was stuff there and we took care of it*

Ms. Moermond:

- photo show a brush pile from a side angle
- will recommend approval of this assessment

Referred to the City Council due back on 3/19/2014

- 2 [RLH TA 14-74](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405A, Assessment No. 148504 at 610 MINNEHAHA AVENUE EAST.

Sponsors: Bostrom

Delete the assessment.

RE: 610 Minnehaha Avenue East (Apartments)

Mai Vang:

- follow-up on closing document

Ms. Moermond:

- settlement date: Oct 31, 2013
- Summary Abatement Order was sent Oct 30, 2013
- went to previous owner
- will recommend deleting this assessment

Referred to the City Council due back on 3/19/2014

- 3 [RLH TA 14-65](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1405A, Assessment No. 148504 at 1232 SEVENTH STREET EAST.

Sponsors: Bostrom

Based on inspector's additional information from owner's contractor and City crew and break down of costs relating to the dumpster, recommend approval of the assessment.

2/28/14: Ms. Vang contacted Commercial Container Corp. at 612-721-2650 and spoke to Nona Whalen. This phone call was to get detail information regarding the dumpster. Ms. Whalen stated that on September 18, 2013 Henry Obedier (sp?) who was hired by property owner, Rose Blalock ordered a 20-yd dumpster for the clean-up at 1232 Seventh St E. A 2nd 20-yd dumpster was dropped off on September 23, 2013. Then on September 25th a 3rd 20-yd dumpster was dropped. Lastly, on September 25th, a 10-yd dumpster was dropped off to replace the 20-yd dumpster that was dropped off on Sept. 25. She indicated that as of yet, only one of the three 20-yd was paid for. She was told that Ms. Blalock paid Mr. Obedier cash and then Mr. Obedier went and wrote a NSF check for the first dumpster but later went to pay for it in cash. He never went back to pay the other 20 yards. She also said that James Miller, City crew, called the company to pick up the 10 yd. and he met up with the co. at 11:00 a.m. at the dumping site. They both were at the Advanced Disposal site and it was indicated to the co. that the City will pay for dumping fee and charge to City. After speaking with me, Ms. Whalen went to talk to the driver and came back on the phone and stated that he said the City supervisor was there, told to meet at Front Street and the dumping took one hour. He said that there was not a lot of debris at the owner's property to pick up.

2-19-14: Statement in an email from Skip Saete, Park Maintenance

Work order 13-245393 – address: 1232 7th St. East, was done by our Parks staff on 11-4-13. My crew leader made plans on a few occasions with the company that owned the 20 yard roll-off to dump the container and the dispatch office and the driver did not communicate apparently because my crew waited in vain only to discover that the driver would not be showing up that day. When the Commercial Container driver did finally show up, Jim M. videoed the container and my crew cleaned up all of the surrounding debris that did not fit into the container. I understand that they put the overflow trash into our garbage truck. The trash was scattered all over the place and it took a while to clean up the area. The Parks driver then followed the Commercial Container driver to the Veolia or Resource Recovery transfer station on Como Ave. to dump. The debris charges were put on our Parks account. The debris was charged to truck 3-330 because every truck load has to be charged to an existing account. Our Parks driver goes into the office at the dump station and informs the Veolia staff to put the debris towards his garbage truck. The ticket number on 11/4/13 was 552646 for 1.45 tons. To summarize; this is our standard operating procedure for a roll-off that does not fit onto our truck. Every roll-off box has a unique way of hooking up. The truck and the box are separate and they have to be compatible in order to pick up the box. Therefore, we call the owner of the box and agree that they can get their box back so they can use it again and we will pay for the trash. This is always the agreement or we do not use the company. I am not sure how the vendor charges for their time because that is not our concern. Our charges however, are \$520.00 for two hours for my crew and the equipment's time and \$560.00 for the disposal fees. These are the same standard fees we always charge and this has not changed in at least 8 years.

RE: 1232 Seventh Street East (Multi-Family)

Rose Mary Blalock, owner, appeared. Also appearing, Terrance Fredix

Inspector Paula Seeley:

- followed up and emailed Ms. Moermond
- Ms. Moermond wanted me to find out why the cost of this assessment was so high
- she talked with Skip: the Parks crew called the company and followed them over to Veolia; there was 2 hours of garbage abatement; 20 yards of refuse; so, it's a \$520 - abatement fee; general refuse - \$560; plus \$160 service charge = \$1,240

Ms. Blalock:

- Commercial Containers is the contractor who owns the dumpster, too; she had spoken with them; they said that after they got the call by the inspector, they went to pick it up because her contractor had not yet paid them; there was a mix-up in the invoices; the inspector told them to meet him at the property and told them to take the dumpster to a location and after they dumped it, Commercial Containers charged them for dumping the dumpster; then, they got a bill from the city for the same thing
- the city said that they picked it up and dumped it

Ms. Moermond:

- actually, it kind of is the city; the city would have escorted the private company

Mr. Fredix:

- Commercial Containers person told them that the inspector called them and forced them to move this dumpster and that some kind of fee got mixed up in the payment; they said, 'Tell them to bill the city and the city will bill us.' The company also charged them \$275 for the contracting company to come out and dump it

Ms. Moermond:

- and, the city's paid that bill, as well (Ms. Seeley: that must be the trip charge)
- the city is charging you for the cost of all of that garbage; there might be a trip charge
- is looking for an invoice from Skip on what the costs were
- it looks like a 20-yd dumpster in the photo

Mr. Fredix:

- they said that they sent out a 10-yard dumpster and that's what was recorded as being picked up

Ms. Seeley:

- the city had to wait there for 2 hours: he had to hook the dumpster up to the trailer; follow them all the way to Veola; make sure it gets dumped; make sure that Veola gets paid; the city is paying for 20-yds

Ms. Moermond:

- we need to get better detail from Parks on this because if there's a private bill going to the owner and the city is paying for the 20 yards, there may be a cross over; doesn't want to see the owner double billed
- asked Ms. Seeley to put together a better break down of costs, etc.

Ms. Blalock:

- the city did not escort them; from her conversation with the company man who actually talked to Inspector James who called them to remove the dumpster

Ms. Moermond:

- we need to get this straightened out
- wants to make sure owner is not getting charged twice for the same thing
- wants to compare what the company is billing Ms. Blalock with what the city is charging
- if there's a discrepancy, we need to sort it out
- seeing errors in the bills and is concerned

Ms. Seeley:

- she will talk to Rita and also to Skip

Ms. Blalock:

- contact at Commercial Container is Nona, 612/721-2650; 3516 East Lake St; Nona said that they picked-up a 10-yd dumpster; Nona also said that the city did not follow the truck; the inspector told them to go pick it up and take it to Veola and bill the city; Nona said the city was not out there; Nona said that's why they were charging her \$275
- again, Ms. Blalock asked Nona, "Did you pick up a 20-yd dumpster or a 10-yd dumpster?" Nona answered, "A 10-yard dumpster."

Mr. Fredix:

- they have had a lot of problems with that inspector

Ms. Moermond:

- believes that the clean-up crew would have called the private company

Ms. Blalock:

- Nona told them that it was Inspector James who called the private company
- she has left emails with LH

Ms. Moermond:

- we need proper documentation
- we will communicate by email and, hopefully, save the owners a trip downtown

VIDEO again

Referred to the City Council due back on 3/19/2014

Special Tax Assessments (ALL FOR CPH ON 4/2/14)

- 4 [RLH TA 14-81](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1406, Assessment No. 148205 at 96 BATES AVENUE.

Sponsors: Lantry

Approve the assessment and spread the payments over 2 years.

RE: 96 Bates Avenue (Single Family)

Joseph Felt, LJJ Properties LLC, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy fee \$170 + \$155 service charge = \$325
- Orders dated Jan 16, 2013; compliance Oct 3, 2013
- bills were sent Oct 7 and Nov 6, 2013
- sent to LJJ Properties, 1148 McLean Ave, St. Paul

Mr. Felt:

- main concerns are the DSI administration fee of \$120 and the Real Estate administration fee of \$35 - that's \$155 tacked onto the \$170 C of O fee; that's 90% increase in his C of O inspection fee
- how can he be essentially, fined 90% over this C of O cost
- he questions that St. Paul can actually charge for the C of O inspection; this has been questioned all over the country; apparently, not hard enough in St. Paul; the 4th Amendment says that you do not have a right to enter our private property and that's my private property
- he's a small landlord and every one of his properties is rated "A"
- this is a huge cost: we've got \$325 now, plus \$155 that he put in for a furnace inspection, plus his time, which equals about \$600; and that comes to about \$50/month that he will have to raise the rent (\$50/month less affordable rent for his renter)
- constitutionally, you shouldn't be entering that house anyway

Ms. Moermond:

- asked what happened between getting the first bill and now

Mr. Felt:

- part of the reason is that the City of St. Paul has decided that the house that I've lived in for 15 years, my primary residence, was no longer homesteaded property because he has a wife, who is on active duty in the military and she lives in another state; so, his wife flew here and spent 2 days at Ramsey County getting all this stuff straightened out, which cost over \$300 (plus the flight down here); that came up about the same time all of this was happening --- one thing after another - each costing me money
- we are residents of St. Paul not revenue sources
- he hasn't been able to pay earlier

- he owns 4 properties
 - constitutionally, we are not supposed to be cited for excessive bail or excessive fees; he thinks that 90% is an excessive fee considering that by law, he can only assess his tenants an 8% late fee; you've assessed a 90% late fee; how does the city justify that

Ms. Moermond:

- the processing fee (admin charge/service charge) is not a percent fee; it's a flat rate when something is turned into an assessment instead of being a regular bill
 - is hearing that Mr. Felt has had good reason for not paying the bill in a timely manner
 - the C of O inspection fee is only about 70% of sending out an inspector; the rest is picked up by the taxpayers of the City of St. Paul
 - the fee is a charge that has been reviewed by the state auditor as being an acceptable charge for the cost incurred

Mr. Felt:

- suggested that if what is charged as the cost of the inspection is not covering what it actually costs, then, perhaps, the city should charge \$500 or \$800, whatever, for the inspection; he would rather it be the true cost of what it is

Mr. Moermond:

- Mr. Felt's councilmember may look at this differently
 - will recommend approval of this assessment payable over 2 years (smaller bites)
 - City Council Public Hearing Apr 2, 2014

Referred to the City Council due back on 4/2/2014

5 [RLH TA 14-114](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 351 BATES AVENUE.

Sponsors: Lantry

Approve the assessment.

RE: 351 Bates Avenue (Apartments)

Tsag Nguyen appeared.

Inspector Paula Seeley:

- Summary Abatement Order sent Sep 24, 2013; compliance Sep 30; to remove a sofa from the blvd
 - sent to Hank Trung Cu and Ruby Nguyen, 1119 East River Rd, Mpls; and Occupant
 - no returned mail
 - cost: \$120 + \$35 service charge = \$155 (PAEC charge)

Mr. Nguyen:

- works for Hank and Ruby
 - if he removed the sofa, why is it being charged to them?
 - they hadn't received the Notice

Ms. Moermond:

- the sofa was cleared away after the inspector came to re-check and almost a week had been provided to remove it

Ms. Seeley:

- the compliance day, Sep 30, inspector went out and took a photo of the sofa still

*being on the blvd, so, he called the Parks crew to come and pick up the sofa;
however, when they came out, the sofa had already been taken away (trip charge)
- there had been 2 complaints within a week about this*

Ms. Moermond:

*- will recommend approval of this assessment; the sofa wasn't removed from the blvd
by the compliance date*

Referred to the City Council due back on 4/2/2014

- 6 [RLH TA 14-98](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 1818 BENSON AVENUE.

Sponsors: Tolbert

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 7 [RLH TA 14-85](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1406, Assessment No. 148205 at 1660 BUSH AVENUE.

Sponsors: Lantry

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 8 [RLH TA 14-82](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405B, Assessment No. 148104 at 675 CHARLES AVENUE.

Sponsors: Thao

Delete the assessment.

RE: 675 Charles Avenue (Duplex)

Reagan Yang and Maesee Vang, owners, appeared. (Mai Vang interpreted.)

Inspector Joe Yannarely:

*- boarding requested by the St. Paul Fire Dept after a fire 10:14 am, Nov 24, 2013
- presently, the building is a Category 1 fire exempt Vacant Building*

Mr. Vang:

*- a candle started the fire
- father-in-law was home at the time
- 3 windows were broken*

Ms. Moermond:

- since someone was home, she is wondering why Fire called for a boarding crew

Ms. Yang:

*- because the windows were broken
- all of the occupants were there at the time*

- when Fire got there, they just said that they were going to board it up

Ms. Moermond:

- will recommend that Council delete this assessment
- everybody was there
- probably, Fire thought they were doing them a favor not realizing that there was a bill coming

Referred to the City Council due back on 4/2/2014

- 9 [RLH TA 14-97](#) Amending Council File RLH AR 13-113 to delete the assessment for Collection of Certificate of Occupancy Fees billed July 4 to August 1, 2013 at 950 CROMWELL AVENUE. (File No. CRT1403, Assessment No. 148202)

Sponsors: Stark

Delete the assessment. This is a resolution amending AR file adopted on January 15, 2014.

Referred to the City Council due back on 3/5/2014

- 10 [RLH TA 14-99](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 259 CURTICE STREET EAST.

Sponsors: Thune

Reduce the assessment from \$275 to \$137.

RE: 259 Curtice Street East (Single Family)

Ethan Warneke and child appeared.

Inspector Paula Seeley:

- 2 Excessive Consumptions for noncompliance
- orders sent Aug 1; compliance Aug 8; re-checked Aug 8
- ECs were sent for a cost of \$240 + \$35 service charge = \$275
- inspected second time Aug 15
- orders sent to Lorraine Mickelson, 259 Curtice St E, St. Paul
- orders read: re-position discharge hose out of carriage house and garage that is directing water straight into alley right-of-way; water must drain directly into yard
- no returned mail
- inspector went out 2 different times
- photos

Mr. Warneke:

- Lorraine Mickelson is his wife
- they were on vacation at the time when the first letter came; and didn't get back until after the second letter had come
- his brother lives at this property and it took a few days before he got the mail to him; as soon as he got the letter, he went to fix it
- it took a few weeks to contact someone about the address change; he left messages and sent faxes; they finally got all of the mail sent to their current residence
- they weren't in town when this happened

Ms. Seeley:

- illegal dumping complaint on Jul 13, 2012; sent a Summary Abatement and someone took care of it

Ms. Moermond:

- will split it down the middle

- will recommend the City Council reduce this assessment to \$137

- CCPH Apr 2, 2014

Referred to the City Council due back on 4/2/2014

- 11 [RLH TA 14-109](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 1153 EDMUND AVENUE.

Sponsors: Thao

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 12 [RLH TA 14-106](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 944 EUCLID STREET.

Sponsors: Lantry

Delete the assessment as the clean up order was the result of illegal dumping on the property. (No hearing necessary)

Referred to the City Council due back on 4/2/2014

- 13 [RLH TA 14-100](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No.148301 at 1635 FREMONT AVENUE.

Sponsors: Lantry

Approve the assessment.

RE: 1635 Fremont Avenue (Single Family)

Pen Cher Vang, owner, and Khenu Vang, appeared. (Mai Vang interpreted.)

Inspector Paula Seeley:

- Excessive Consumption

- tall grass and weeds Order sent Sep 9, 2013; compliance Sep 13; re-checked Sep 13

- Work Order sent

- work had been done by owner when the crew got there, which generated a EC

- cost \$120 + \$35 service charge = \$155

- sent to John Vang, 1635 Fremont Ave; Vue Xiong Vang, 1635 Fremont; and Occupant

- no returned mail

- photo

- no history

Mr. Vang:

- the property is in foreclosure
- they were notified to cut the grass so they went back to cut it
- if it was cut, why do they get charged?
- the property is in the hands of the bank

Ms. Moermond:

- this assessment goes with the property
- since the property is in foreclosure, you are not responsible for the bill; the bank has to pay it
- the Vangs have a perfect record of maintenance
- will recommend approval for this assessment

Referred to the City Council due back on 4/2/2014

14 [RLH TA 14-88](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 226 GROTTO STREET NORTH.

Sponsors: Thao

Approve the assessment and spread the payments over 5 years.

RE: 226 Grotto Street North (Half Double Dwelling)

Matthew Jackson, owner, appeared.

Ms. Moermond:

- pulled up information on this and it's kind of a mess; she has notes on her desk
- who owns this?

Mr. Jackson:

- he gets US Bank but the address given it for a Chase Bank

Ms. Moermond:

- it's US Bank, trustee
- she spoke with the city's person who works with title documents
- this is for a Vacant Building fee

Inspector Joe Yannarely:

- Category 2 Vacant Building file, opened 10-16-13
- it was previously Condemned as unfit for human habitation on Sep 9, 2013: material endangerment; defective deteriorated roof; as well as complementary violations
- cost: \$1440 + service charge \$155 = \$1595
- no code compliance inspection report

Mr. Jackson:

- he's confused about the dates: it says May 9 to Oct 24 but as far as he knows it didn't become vacant until Oct
- he was here in Aug, 2013 to get an extension in order to try to figure out who owned it so that we could talk and get a new roof put on; Ms. Moermond had extended it for 30 days but he wasn't able to find the owner

Ms. Moermond:

- the original bill went out May 9, 2013
- the bill she is looking at right now covers the time period from Oct 16, 2013 thru Oct 16, 2014

Mr. Jackson:

- original Work Order was for a roof and doing the chimney; there's 3 layers of shingles up there so, he can't do just his half of the roof because no one will insure that; it has to be a tear-off; and he can't get a hold of anyone on the phone at any bank who will admit to have anything to do with this property
- a realtor, Mary Mensch, who works for the bank, won't tell him or his lawyer who owns it; so, he can't do the roof

(at this time, Ms. Moermond took another case)

Ms. Moermond:

- go into Ramsey County's Sheriff's Civil Desk; all Sheriff Sale information is there; in the Sheriff Sale Document, US Bank National Association shows as the owner; they sought the shortened redemption time period in Apr 2013 and the courts granted that; the weird thing about the Sheriff's Sale document is that they did not list a law firm, which is unheard of; the previous law firm wasn't involved with the Sheriff's Sale or...
- address of US Bank National Association is 7255 Baymeadows Way, Jacksonville, FL 32256-6851 (on the paperwork of the Sheriff's Sale)

Mr. Jackson:

- he has a friend who works for US Bank; there's no offices in Jacksonville and when he checked that address, it was a Chase Manhattan Bank
- he would just like to fix the roof and get things in working order but he, literally, can't do it; he's hired 2 different lawyers and neither was able to find out who owns the house; he's at a loss; no one seems to be accountable
- he doesn't know what to do
- every one he has spoken with has never seen anything like this before

Ms. Moermond:

- sorry that she could not be more helpful
- in terms of the VB fee, the anniversary date is in Oct and we are 6 months into that year
- will recommend this fee be approved and payable over 5 years

Referred to the City Council due back on 4/2/2014

15 [RLH TA 14-115](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 560 GROTTO STREET NORTH.

Sponsors: Thao

Delete the assessment.

RE: 560 Grotto (Single Family)

James Swartwood, owner, and Cal Prince, property manager, appeared.

Inspector Joe Yannarely:

- Vacant Building fee of \$1,440 + \$155 service charge = \$1,595

Mr. Prince:

- he met with the inspector in Oct 2013 and thought this was all done

Mr. Yannarely:

- this is a Category 1 VB

- it received Certificate of Occupancy (house was occupied) as of Oct 22, 2013 but it is still listed as open
- it went into the VB Program on Oct 4, 2013
- it looks like is just never got removed from the VB Program

Ms. Moermond:
- will recommend this assessment be deleted

Referred to the City Council due back on 4/2/2014

- 16 [RLH TA 14-89](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No.148301 at 534 JENKS AVENUE.

Sponsors: Brendmoen

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 17 [RLH TA 14-93](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 128 JESSAMINE AVENUE EAST.

Sponsors: Brendmoen

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 18 [RLH TA 14-94](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 322 LARPENTEUR AVENUE WEST.

Sponsors: Brendmoen

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 19 [RLH TA 14-148](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No.148301 at 1052 MACKUBIN STREET.

Sponsors: Brendmoen

Delete the assessment.

RE: 1052 Mackubin Street (Residential Vacant Land, Lot)

Howard Merrill, owner, appeared.

Inspector Paula Seeley:
- Excessive Consumption - PAEC
- Orders sent Jul 23, 2013 -tall grass and weeds; remove materials from yard area and street; compliance date Jul 29; re-checked Jul 30
- Work Order sent
- trip charge: \$120 + \$35 service charge = \$155

- sent to Howard Merrill, 1887 Merrill St, St. Paul
- no returned mail

Mr. Merrill:

- he was notified that weeds needed cutting; he hired the person, who normally cuts the grass and he did cut it; it was all taken care of
- he had notice on several lots
- he did not do the street right-of-way, which belongs to the city
- everything was in order; he looked at it
- then, he got another set of Notices on all the properties even though the grass had been cut
- he asked to meet with the inspector out there to see what he was looking for
- he showed the driveway on one end where his guy tried to cut with the riding lawn mower and it got stuck; so very shortly after that, he had a an excavating man come in and level the whole thing and he paid over \$600 to take all the trees, brush out of there; he also paid additional money to have all the grass and weeds cut
- first of all, he got a bill for \$664, which was totally outrageous but he paid that bill (all that was left to be done was to cut a little bit of weeds over there); now, they comes in and says there's excessive use of inspection service; what he finds excessive is the billing - now, he's being billed an additional amount because he talked to the inspector? That's outrageous!

Ms. Moermond:

- asked if this Excessive Consumption related to that clean-up or to a separate event?

Ms. Seeley:

- it's a PAEC; where he sent a Work Order to remove brush and refuse from the lot, including a small grass and weeds Work Order that was done by owner
- compliance day was Jul 29; inspector went out on the 30th and took photos and sent a Work Order, which generated a crew to go out there and cut the grass but it had already been done by owner

Ms. Moermond:

- what is the charge that he paid, the \$664? (Ms. Seeley: that was for a clean-up; he had 6 lots earlier)

Mr. Merrill:

- he didn't do 6 lots; it was one corner of one lot

Ms. Moermond:

- that was a separate issue
- what are the other addresses on Mackubin?
- this is just a simple extra trip charge for coming to mow the lawn, which had already been mowed - but a day after the deadline

Mr. Merrill:

- when he confirmed with the inspector, he had told him that it was going to be done right away, so, it shouldn't have been a surprise that it was done; I always get it done; on a regular basis
- he finds it outrageous that he is being billed for excessive use of inspection services when he complies with everything that they asked for

Inspector St. Martin:

- under 1040 Mackubin, there was some work done earlier; a couple different addresses there

- it's kind of confusing because there are so many empty lots together
- Mr. Merrill has been cooperative with trying to work with inspections and take care of his properties
- he has been compliant is working with us
- he would recommend deleting this assessment

Ms. Moermond:

- will recommend the Council delete this assessment

Referred to the City Council due back on 4/2/2014

20 [RLH TA 14-84](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 1091 MINNEHAHA AVENUE EAST.

Sponsors: Lantry

Recommend deletion of Vacant Building fee. The building was in the program for only 2 months of the year; there appears to have been a slow issuance of the Certificate of Compliance after the work was completed.

Forthcoming...LHO will contact building official for the status of the vacant building.

RE: 1091 Minnehaha Avenue East (Duplex)

Boonmee Yang, owner, appeared along with Mia Her. (Mai Vang interpreted.)

Inspector Joe Yannarely:

- Annual Vacant Building registration fee: \$1,440 + \$155 service charge = \$1,595
- Category 2 Vacant Building been in program since Nov 16, 2009
- has an expired code compliance inspection report
- has an extensive list of Work Orders on the property

Ms. Yang:

- bought the property Aug 2013
- were finished with the rehab in Oct 2013 but were waiting for the plumber to finalized the permit
- they plan to rent out the building

Mr. Yannarely:

- how could they be close to finalizing when they didn't have a code compliance inspection report
- several permits had been pulled and all permits were finalized in Sep 2013; they just don't have the Certificate of Code Compliance
- there are no notation from Jim Seeger

Ms. Moermond:

- this VB fee is for the time period of Nov 2013 - Nov 2014
- she will call Inspector Jim Seeger, who is in charge of clearing out this file
- it looks as though this bill should be deleted entirely because the permits were finalized before the anniversary date
- will recommend this assessment be deleted

Referred to the City Council due back on 4/2/2014

21 [RLH TA 14-103](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 2054 MONTREAL AVENUE.

Sponsors: Tolbert

Delete the assessment because work was completed. (No hearing necessary)

Referred to the City Council due back on 4/2/2014

- 22 [RLH TA 14-83](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 2214 REANEY AVENUE.

Sponsors: Lantry

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 23 [RLH TA 14-91](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No.148301 at 736 ROSE AVENUE EAST.

Sponsors: Bostrom

Delete the assessment; grass was not 8 inches tall. (No hearing necessary)

Referred to the City Council due back on 4/2/2014

- 24 [RLH TA 14-111](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 610 ST. ALBANS STREET NORTH.

Sponsors: Thao

Delete the assessment as it was done in error (no EC was issued to the property) - No hearing necessary.

Referred to the City Council due back on 4/2/2014

- 25 [RLH TA 14-86](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 1274 SAINT CLAIR AVENUE.

Sponsors: Tolbert

Code compliance was issued less than 30 days after anniversary date. (No hearing necessary)

Referred to the City Council due back on 4/2/2014

- 26 [RLH TA 14-92](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No.148301 at 1186-1188 SEVENTH STREET EAST.

Sponsors: Bostrom

Approve the assessment.

RE: 1186-1188 Seventh Street East (Single Family / Misc)

Kevin L. Menard, owner, appeared.

Inspector Paula Seeley:

- Excessive Consumption PAEC- failure to cut grass by the compliance date
- orders sent Jul 25; compliance Jul 29; re-checked Jul 31
- Work Order sent
- crew went out and the work had been done owner
- trip charge: \$120 + \$35 service charge = \$155
- history: Jul 28, 2013 - Orders on rubbish and vehicles in the yard
- Orders sent to Kevin Menard, 617 NE Taylor St, Mpls; and Occupant
- no returned mail
- photo

Mr. Menard:

- the grass did get mowed
- he got letters from 2 different inspectors: 1) one from James Hoffman; and 2) one from Paula Seeley
- the one Ms. Seeley sent was the same as the James Hoffman one but she said he had until Jul 31, 2013; and he called her and asked her for a couple more days and she said, "Get most of it done and we'll talk about it."
- he had everything done; there might have been some weeds in the back on the 30th
- he thinks he should have had a little more time
- looking at the photos: "this in the front is blackberries; not weeds" and
- he believes that the inspector took photos in the morning of the 31st; he cut the weeds in the back with the weed whipper in the afternoon of the 31st

Ms. Seeley:

- history: she was out Jul 25 and sent SA for the 31st to remove all the junk, rubbish in the yard; there were some abandoned vehicles and to cut all the weeds; Mr. Hoffman's letter gave a compliance date of the 29th and he went out on the 31st sent a Work Order on it
- she did have a conversation but I don't remember the tall grass and weeds; it was just to clean-up the yard
- her notes don't indicate giving him an extension on the grass

Ms. Moermond:

- will recommend approval of this assessment

Referred to the City Council due back on 4/2/2014

- 27 [RLH TA 14-96](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1405P, Assessment No.148404 at 652 STRYKER AVENUE.

Sponsors: Thune

Delete the assessment; waiver on file. (No hearing necessary)

Referred to the City Council due back on 4/2/2014

- 28 [RLH TA 14-112](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 855 TUSCARORA AVENUE.

Sponsors: Thune

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 29** [RLH TA 14-107](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 895 WAKEFIELD AVENUE.

Sponsors: Lantry

No show - approve the assessment.

Referred to the City Council due back on 4/2/2014

- 30** [RLH TA 14-95](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 676 WELLS STREET.

Sponsors: Bostrom

Delete the assessment.

Referred to the City Council due back on 4/2/2014

- 31** [RLH TA 14-87](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1406, Assessment No. 148205 at 409 WHEELER STREET NORTH.

Sponsors: Stark

Reduce the assessment from \$325 to \$247.50.

RE: 409 Wheeler Street North (Single Family)

David and Kara Wald, KOP 1 LLC, owner, appeared.

Fire Inspector Leanna Shaff:

- *Fire Certificate of Occupancy inspection assessment*
- *cost: \$170 + \$155 service charge = \$325*
- *Orders dated Aug 27, 2013; compliance Oct 11, 2013*
- *billing dates: Oct 15 and Nov 14, 2013*
- *no returned mail*
- *sent to Kara and David Wald, 1490 Danforth St, St. Paul*

Ms. Wald:

- *appealing the administrative fees*
- *have been experiencing a lot of difficulty with their mail handling; have had trouble for the last 6 months; some of their mail is late; other mail goes to the house next to theirs*
- *she has called the Post Office to let them know*
- *she has now set up a P.O. Box*
- *they did not receive Notices and the bills*
- *they did; however, receive the Certificate of Occupancy*
- *she has always paid on time in the past*

Inspector Shaff:

- *this is a Class A property; gets inspected every 5 years*

- 2008 - some exterior item but they did not own the house then

Mr. Wald:

- he just replaced the whole sidewalk on one side of their property

Ms. Moermond:

- this time, she will split the difference on the service charge: will reduce the service charge by half

- total cost: \$247.50

- will recommend the Council reduce the service charge by half, bringing the total cost down \$247.50

Referred to the City Council due back on 4/2/2014

32 [RLH TA 14-108](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1402E, Assessment No. 148301 at 419 WHITALL STREET. (To be referred back to Legislative Hearing on April 15, 2015 and City Council Public Hearing on May 7, 2014)

Sponsors: Brendmoen

To be laid over to April 15, 2014 Legislative Hearing and City Council Public Hearing on May 7, 2014.

Appellant in Arizona and won't be back until April 10, 2014.

Referred to the City Council due back on 4/2/2014

33 [RLH TA 14-113](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1406, Assessment No. 148805 at 427 WHITALL STREET.

Sponsors: Brendmoen

Laid over to 2:30 p.m., Tuesday, Feb 25, 2014 for staff report. Owner needs to contact Rich Singerhouse for update on property. Will hold Vacant Building fee until then.

RE: 427 Whitall Street (Single Family)

Thomas Wybierala, owner, and his girlfriend, Shari, appeared.

Inspector Joe Yannarely:

- this property was transferred from the Fire Certificate of Occupancy Program

- made a Category 2 Vacant Building Oct 2006

- a Condemnation because of the heating system

- the annual VB is due: \$1440 + \$155 service charge = \$1,595

- Mr. Singerhouse has been out there numerous times

- it appears to still be occupied

- there is no code compliance inspection report

Shari:

- they are appealing because they have never vacated the house; they have been living there

- a new furnace was installed; they'd like someone to come out to inspect it so that they can bring it all up to code and remain at the property

- Mr. Wybierala just begun taking ownership of the house in Jan 2014; prior to that, it

belonged to the estate

Mr. Yannarely:

- *get a code compliance inspection from Mr. Seeger*
- *thinks that Mr. Singerhouse has discussed that with the owner early on*
- *he suspected people were living there but no one ever comes to the door*
- *the furnace was installed without a permit*
- *the city has a process to go through beginning with a code compliance inspection*
- *you can apply for the code compliance inspection at 375 Jackson or on-line*
- *you need to contact Mr. Singerhouse at 651/248-0246*
- *according to Mr. Singerhouse, there doesn't appear to be a lot wrong with this property*

Ms. Moermond:

- *if Mr. Singerhouse thinks this should be a different category and not need a code compliance inspection, fine; it's his call*
- *will Lay this Over as a Staff Report to 2:30 pm next Tue, Feb 25, 2014 so the property owner can connect with Mr. Singerhouse*
- *will hold the VB fee discussion until then*

Laid Over to the Legislative Hearings due back on 2/25/2014 (Staff Report)

Special Tax Assessment Rolls (All for 4/2/14 CPH)

- 34** [RLH AR 14-5](#) Ratifying the assessments for Collection of Vacant Building Fees billed May 9 to October 24, 2013. (File No. VB1406, Assessment No. 148805)
- Sponsors:** Lantry
- Referred to the City Council due back on 4/2/2014**
- 35** [RLH AR 14-6](#) Ratifying the assessments for Graffiti Removal services from October 8 to November 19, 2013. (File No. J1405P, Assessment No. 148404)
- Sponsors:** Lantry
- Referred to the City Council due back on 4/2/2014**
- 36** [RLH AR 14-7](#) Ratifying the assessments for Excessive Use of Inspection services from July 30 to October 25, 2013. (File No. J1402E, Assessment No. 148301)
- Sponsors:** Lantry
- Referred to the City Council due back on 4/2/2014**
- 37** [RLH AR 14-8](#) Ratifying the assessments for Boarding and/or Securing services during November 2013. (File No. J1405B, Assessment No. 148104)
- Sponsors:** Lantry
- Referred to the City Council due back on 4/2/2014**
- 38** [RLH AR 14-13](#) Ratifying the assessments for Collection of Certificate of Occupancy

Fees billed October 7 to 23, 2013. (File No. CRT1406, Assessment No. 148205)

Sponsors: Lantry

Referred to the City Council due back on 4/2/2014

11:00 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 39 [RLH VO 14-7](#) Appeal of Quoc Nguyen to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 685 JENKS AVENUE.

Sponsors: Bostrom

Deny the appeal and grant until March 18, 2014 to come into compliance.

RE: 685 Jenks Avenue (Single Family)

Quoc Nguyen, owner, appeared.

Fire Inspector Paula Seeley:

- received a complaint Feb 7, 2014 about the conditions of the house; she went to inspect that day*
- found excessive storage, clutter, blocked exit doors, combustibles around the furnace, fireplace, water heater; smelled sewer really bad; was backing up; floor drain plugged; furnace wasn't working; they were using space heaters with extension cords; over occupied house; sanitation issues*
- she went back with a police officer Fri, Feb 14, 2014 and didn't see much progress but the furnace was working*
- she could not tell whether or not the sewer was unplugged - the floor was quite filthy around there; there was still a ton of storage in the basement*
- the first floor looked pretty good*
- noted that the hot water faucet in the bathtub was not working, so, she had to turn it on at the valve and the water was scalding; she spoke with Mr. Nguyen noting that the temperature of the water was way too hot; he said that he had turned it up to get some of the sewer water down*
- she is worried about the small children in the house*
- this is the 2nd time she has Condemned this house in 2 years*
- she gets complaints weekly about stuff in the yard, excessive clutter, etc; now, there's snow*
- she asked Mr. Nguyen to have another furnace Orsat Test done; he said that a dog had chewed a wire*
- she believes that CAPP, Ramsey Action Program, came out there to put in a new furnace but when they saw the Condemnation, they said that they couldn't touch the house (Mr. Nguyen: he has the furnace running, so they can come out and do the testing but until the Condemnation is taken care of, CAPP can't do anything)*

Mr. Nguyen:

- the kids were taken out of his custody so, he had the whole weekend and he spent a lot of time cleaning it out*
- the photos in the file are from the first time Ms. Seeley came over; a lot was taken out by Feb 14*
- he will be completely done in the next couple of days and I'll have Ms. Seeley come*

over to look

- the heat and the sewer works; the laundry works fine, no back-up
- he has 2 autistic daughters; when he was away for 3 weeks, the furnace went out and one of his daughters stuffed at least 1000 wet wipes down the toilet; that together with the heat being off, the pipes got clogged; he had 2 Roto Rooter guys come out but they broke their snakes; so, he went to Oakdale Rental and rented an industrial snake, which cleared the pipes; he was told that after he cleared the pipes, he was to run very hot water thru them, that's way the temperature was turned way up
- Orsat Test was done last year
- he has only the basement to finish clearing out; that area is locked away from the kids
- has to go back to court next week; by that time, his goal is to have the house all cleared so he can get his kids back
- he filed an appeal on Fri and on Fri they took his daughters from school
- he has recent photos but he can't figure out his new phone
- he brought a trailer over and got rid of the majority of the clutter
- it's just too much of a hardship; he's on a fixed budget; he can't afford to rely on his friends all the time because he has 4 daughters and they are a handful; especially with 2 of them being autistic, 1 screams all the time; they pretty much wear out their welcome the first or second night; so, he has to go into hotels
- normally, he and his 4 daughters live in the house
- the mother of his children was at the house on Fri because he needed her help; they are separated
- ages of daughters: 4, 6, 9 and 10; the 2 older daughters are autistic
- until the house is habitable again, three are in foster care and the fourth is with her aunt
- he can't afford the Orsat Test until Mar 1, 2014
- the heat works now; a dog chewed on the thermostat wire, which he replaced
- all the major issues have been taken care of; more cleaning is left
- it go so cluttered because the sewer had backed up while he was gone; the mother of his children was watching them while he was gone and so, she couldn't do the dishes or the laundry; it all piled up; and she would have needed to move his tools to get where she wanted to go; he does property management, too; all his tools are in the basement
- he will send Ms. Moermond photos later today
- he doesn't have his daughters so, he can work much faster

Ms. Moermond:

- she will need Inspector Seeley to go out and do an assessment of the situation

Ms. Seeley:

- most of what's there is tools, machinery
- tools, etc. fill the dining room table
- he had a huge shed where he can store those things
- some kitchen cabinets are missing
- the vanity upstairs needs work
- 2 doors that have been taken off could fall on the kids
- would like to get the furnace checked out - would feel more comfortable with a fire safety test

Mr. Nguyen:

- he took a lot out to the shed already
- he used to have an automotive shop; he has tools for that and also has construction tools
- no more danger exists there for them; nothing is obstructing the exits
- there's no longer things around the furnace because it's working

- there's a clear path to the electrical box; everything is moved to the sides
- all combustibles are out in the shed
- there are no heaters and no extension cords
- they can't survive on SSI and 1 child has a strange diet
- the sooner he can get back into the house, the sooner he can get his children back
- the woman didn't even tell him that the furnace was out; if she had, he could have had one of his friends go over and fix it
- the last time the house was Condemned was just because they had no power and was because someone had used his identity and ran up a bill; one day he had \$1500 added to his bill (he's still in litigation on the identity suit)

Ms. Moermond:

- the Orders show the principal violations that caused the Condemnation; however, it's unclear as to how DSI wants the violations to be addressed in order to lift the Condemnation
- asked that Ms. Seeley make a precise list of clear objectives

Ms. Seeley:

- she believes that Mr. Nguyen knows what she is looking for; Mr. Nguyen agreed

Ms. Moermond:

- if you have a Condemnation, the next thing that happens would be that it gets sent to the Vacant Building Program, which means you'd have to go through a full Code Compliance Inspection (all trades go through); she believes that Mr. Nguyen wants to avoid that so, if he can get all the Corrections done to the satisfaction of Inspector Seeley within 30 days, then, she can lift the Condemnation and he can move back into the house
- if the Corrections cannot be done within 30 days, the property will be sent to the VB Program
- it will be her call, so, you need to be on the same page
- Mr. Nguyen can not live at the house until Ms. Seeley lifts the Condemnation; only 8 am - 8 pm
- because there was a problem with the furnace, she thinks an Orsat Test needs to be done

Mr. Nguyen:

- when the Condemnation gets lifted, CAPP will come out

Ms. Seeley:

- Mr. Nguyen should tell CAPP to call her

Ms. Moermond:

- will recommend denying the appeal and grant an extension to Mar 18, 2014; when the Condemnation gets lifted, Mr. Nguyen can move back in

Referred to the City Council due back on 3/5/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 40 [RLH FCO 14-28](#) Appeal of Elon Piche to a Fire Inspection Correction Notice at 1000 ARCADE STREET.

Sponsors: Bostrom

Forthcoming. Legislative Hearing Officer wants to confirm with the building official on this.

RE: 1000 Arcade Street (Commercial/Apartment-B-Commercial)

Elon Piche, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy Correction Notice*
- inspection was conducted Jan 29, 2014 with a letter dated Feb 5, 2014 by Inspector Wayne Spiering*
- only thing left on the list is a roof permit pulled by property owner in 2011; it was inspected but not finalized*
- the Correction still needs to be made; roof needs to be done correctly and signed off*

Mr. Piche:

- when the building inspector inspected the roof in 2011, he just left and said that he couldn't approve it because Mr. Piche put shingles over shingles; he said the Ordinance had changed in 2007; Mr. Piche did not know that*
- when he bought the permit at DSI, she never told him that he couldn't do it that way; the inspector said the the counter people sell the permits but don't know the code*
- the inspector sent a letter saying it wasn't approved but he didn't say anything about what he was to do; so, Mr. Piche didn't know that he needed to do anything until the Fire inspector came for his 3 year fire inspection*
- Mr. Piche put on a quality roof; he did it himself; it cost between \$5,000-\$6,000; now, the city is asking him to tear it all off and put it in the dumpster; then, spend \$8,000 or \$9,000 to have it redone; he hates to throw \$5,000-\$6,000 into the dumpster*
- the roof is done well and it won't collapse and hurt someone*
- he doesn't have the money to rip it off and put on a new one, according to code*
- even the building inspector said that what was done, was done nicely and correctly, except it being done over the previous layer of shingles*

Ms. Shaff:

- the Minnesota State Building Code thoroughly addresses that you can't put more than 1 layer of shingles on a building*
- the permit itself tells you what you need to do.....1 layer of type 15 cells and 1 layer of #40 coded roofing or coded glass base.*

Mr. Piche:

- he didn't read the permit and if he had, he wouldn't have done it the way that he did*
- he takes good care of his building; he's repainted it twice within the last 5 years; has one of the best garages in the whole neighborhood*
- he works in the community to keep it good*
- his dad used to be a builders so, he knows that you used to be able to put on a second layer of shingles*

Ms. Moermond:

- will talk with the building official about this*
- is wondering if this should be done through a Fire Correction Notice or through some other enforcement means*
- will email Mr. Piche after she has spoken with the building official*
- if possible, she would like to not get Mr. Piche's C of O tied up in this*

Laid Over to the Legislative Hearings due back on 3/11/2014

Complaint at 1049 ARCADE STREET.

Sponsors: Bostrom

Supervisor Shaff will re-inspect the gutters on 812 Cook and owner of 1049 Arcade will provide two bids for possibilities of rerouting the gutters elsewhere.

RE: 1049 Arcade Street (General Retail & Service-B-Commercial)

Phoua Thao and Jaa Yang, owners, appeared.

Fire Inspector Leanna Shaff:

- *Correction Notice written Feb 5, 2014 by Inspector Mike Urmann*
- *they received a complaint from code enforcement that the downspouts were directed onto the public sidewalk, which is now glare ice*
- *the downspouts need to be re-directed to the back of the building*
- *Inspector Urmann was there Oct 31, 2013 and wrote Orders dated Dec 5, 2013 - ordering the work be done*
- *they had the same type of issue in Mar of last year (Inspector Seeley)*
- *on the corner of Cook and Arcade*

Ms. Thao:

- *this is the first Notice that she received from the inspector; she called Inspector Spiering and asked what was the problem; inspector said that the downspouts needed to be rerouted*
- *there is no space to reroute; she doesn't know what they are supposed to do to re-route*
- *showed photos*
- *asked that it be grandfathered-in*
- *Mr. Spiering suggested calling Public Works about it*

Ms. Moermond:

- *asked if they had a contractor out to take a look*
- *hasn't seen a set-up like this before (photos)*
- *they need a contractor to take a look*

Ms. Thao:

- *just the roof people, who said that they fixed it to the way it was originally*
- *the building covers the entire parcel*
- *in other years, she has called the inspector and they have said that it's not an issue*
- *they want to cooperate but there's no space to re-route*

Ms. Shaff:

- *all the buildings are butted up pretty close along there*

Ms. Thao:

- *there is no mold in the basement*
- *they did some repairs in previous years*
- *the neighbors don't have gutters - asked if they were still responsible to maintain it all (it's a rental house according to Ms. Shaff)*

Ms. Moermond:

- *this can't continue but how to handle this - will need a contractor*
- *technically, both properties would be responsible*
- *asked Ms. Shaff to go take a look*
- *there's a downspout system on one and not on the other; however, they both have the same effect of shunting water into the right-of-way*

Ms. Shaff:

- she will go out and take a look

Ms. Moermond:

- usually, if the water lands on your parcel, it should go into the ground on your parcel; this, however, looks like a very old area and the building doesn't have a lot of room around it

- there are contractors who specialize in how that water gets managed

- perhaps, another set of Orders needs to be issued to 812 Cook (Ms. Shaff: if it looks like it needs Orders, she will do it)

- she really needs more information

- will Lay this Over for 3 weeks for: 1) Ms. Shaff to look at it; and 2) for Ms. Thao to get a contractor to look at it and put together some bids (send in the bids)

- Laid Over to Mar 11, 2014

Laid Over to the Legislative Hearings due back on 3/11/2014

42 [RLH FCO 14-27](#) Appeal of Frederic Scofield to a Fire Inspection Correction Notice at 1836 FORD PARKWAY.

Sponsors: Tolbert

Grant until June 1, 2014 for bathroom ceiling to be painted; and grant until March 15, 2014 to get permit finalized on the dryer exhaust duct.

RE: 1836 Ford Parkway (Duplex)

Frederic Scofield, Trustee, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy inspection Jan 20, 2014 by Inspector Mike Cassidy

- there were 5 deficiencies; 2 are being appealed: 1) dryer vent needs to be done under permit; and 2) re-painting bathroom ceiling; asking for an extension to Apr or May when the tenant is out of town

Mr. Scofield:

- noted that it was an extremely intense fire inspection

- inspector told him that a contractor needed to pull a permit and install the dryer vent, which needs to be inspected; a heating contractor is coming this week to do it

- painting the bathroom ceiling: the tenant is currently pregnant and is also extremely allergic to the smell of paint; she plans to be out-of-state sometime in Apr/May, so he is asking for an extension

Ms. Moermond:

- will recommend granting an extension to Jun 1, 2014 to paint the bathroom ceiling

- will recommend granting until Mar 15, 2014 to get the permit finalized on the dryer exhaust duct

Referred to the City Council due back on 3/5/2014

2:30 p.m. Hearings

Vacant Building Registrations

43 [RLH VBR 14-9](#) Appeal of Lung Tran to a Vacant Building Registration Fee at 555 SELBY AVENUE.

Sponsors: Thao

Waive the Vacant Building fee for 90 days. Owner(s) can go ahead and pull permits.

RE: 555 Selby Avenue (Half Double Dwelling)

*My Troung, brother of Lung Tran, owner, appeared.
Sopheak Pho, Project Manager, appeared.*

Appealing the Vacant Building fee

Inspector Matt Dornfeld, Vacant Buildings:

- the Fire Certificate of Occupancy was Revoked Feb 1, 2012 by Fire inspector Lisa Martin*
- VB Inspector Dennis Senty opened a Category 2 Vacant Building file Feb 9, 2012*
- May 2012, property owner, John Thorsen, appeared here and was awarded out of the VB Program; he was given some time to rehab but he failed to comply; it re-entered the VB Program and Mr. Thorsen was given a year extension on his VB fee*
- then, it went into foreclosure*
- Jul 13, 2013, it was purchased by Rivertown Development Group LLC: Joe Stein*
- 2013-2014 VB fee went to assessment*
- Mr. Tran and his group are currently in Reid Soley's Sale Review process*
- code compliance inspection was completed Jan 27, 2014*
- the only thing left to finish the Sale Review process and get approval of this most recent sale from Rivertown Dev to the Trans is the VB fee*
- Rivertown went through the Sale Review process back in Jul 2013; the Trans purchased it and are going backwards to get through the Sale Review process*
- the only thing that Mr. Soley needs is some clarification on this VB fee moving forward*

Ms. Moermond:

- this VB fee covers Feb 9, 2014 - Feb 8, 2015*

Mr. Tran:

- finalized everything in Aug 2013*
- now, we want to get permits*
- contractors have been out there; bids have been prepared*
- rehab should take 2-3 months*
- the building is in great condition*
- their drawings are done; just need to do the work*

Ms. Moermond:

- will recommend waiving the VB fee for 90 days*
- afterward, you will be re-billed and we'll go from there*
- if the work is not done, we will talk more about the fee*
- once the project is finished, you will get a Certificate of Occupancy from the building official*

Referred to the City Council due back on 3/5/2014

Window Variances: No Hearing Necessary

- 44 [RLH FCO 14-24](#) Appeal of Todd Anderson to a Correction Notice-Complaint Inspection at 840 BEECH STREET.

Sponsors: Lantry

Grant a 4-inch variance on the ceiling height requirement in Unit 5. (No hearing necessary)

Referred to the City Council due back on 3/5/2014

- 45 [RLH FOW 14-3](#) Appeal of Elizabeth A. Gardner to a Correction Notice-Foster Care Inspection at 1485 HOLTON STREET.

Sponsors: Stark

Grant a 6-inch variance on the openable height of the egress windows in the master bedroom and grant a 3-inch variance on the openable height of the egress window in the southside bedroom. (No hearing necessary)

Referred to the City Council due back on 3/5/2014